



CITY OF QUINCY
CITY CLERK'S OFFICE
SOBER LIVING HOUSE REGISTRATION

No person shall open or operate a sober house or work for a sober house in the city until the information required in the attached registration application has been provided to the City Clerk. No sober house may operate within the city without first obtaining a registration from the Office of the City Clerk. The Operator of any sober house in the city shall be responsible for updating all required information on a monthly basis, as necessary. The attached registration application is to be submitted to the City Clerk's Office within 30 days of an application for an occupancy permit for new operators. (Order No. 2017-139)

As used herein, the following terms shall have the following meanings.

Operator	A company, business or individual who provides services to or for a sober house, including the placement of individuals in a residence, setting house rules, and/or governing the behavior of occupants while residents of the home. An operator does not include a property owner or property manager that exclusively handles real estate contracting, property management, and leasing of the property and who does not receive compensation for services under the first sentence, above.
Parking Plan	A plan that provides for adequate off-street parking to insure that residents of the sober house and abutting residents can safely and conveniently park their vehicle(s).
Sober House	A dwelling unit occupied by more than four (4) persons, all of whom are in recovery from chemical dependency and considered handicapped under the Federal Fair Housing Act Amendments of 1988, that provides a non-institutional residential environment in which the residents willingly subject themselves to written rules and conditions, including prohibition of alcohol and drug use (except for prescription medications obtained and used under medical supervision), intended to encourage and sustain their recovery.

Within 10 business days of receipt of satisfactory registration application (attached), the City Clerk shall issue the registration.

CITY OF QUINCY

SOBER LIVING HOUSE REGISTRATION:

1. Copy of City of Quincy Council Order 2017-139 was provided to applicant on _____
Applicant initial: _____

2. **Name and address of structured Sober Living House:**

3. **Property OWNER:**

NAME:	
ADDRESS:	
EMAIL:	
CELL:	
Land Line:	
Driver's License/Government Issued ID Number:	

Clerk's Office must be notified of updated owner information within 30 days of a change in Owner

4. Sober Living House OPERATOR:

NAME:	
ADDRESS:	
EMAIL:	
CELL:	
Land Line:	
Driver's License/Government Issued ID Number:	

**Clerk's Office must be notified of updated Operator information within 30 days of a change in
Operator**

5. Sober Living House MANAGER:

NAME:	
ADDRESS:	
EMAIL:	
CELL:	
Land Line:	
Driver's License/Government Issued ID Number:	

**Clerk's Office must be notified of updated Manager information within 30 days of a change in
Manager**

6. REQUIRED ATTACHMENTS: (if not attached please provide explanation as to why)

REQUIRED ATTACHMENTS:	Check if attached:	If not, please explain:
EXECUTED LEASE		
Operating Plan for House**		
Tenant Rules & Regulations		
Written Intake Procedures		
Relapse Policy		
Discharge Plan		
Sample (blank) resident forms		
Signed Operator Affirmation (attached to this application)		
Signed Safety Certification (attached to this application)		

** Operating plan must include: (i) supervisory roles and responsibilities (ii) plans that facilitate the rehabilitative process (iii) property maintenance plans and (iv) property control plans (e.g., Parking Plan, noise abatement) consistent with City Ordinances

SOBER HOUSE OPERATOR AFFIRMATION:

I, _____, operator of

Name & Address of Sober Home:

Hereby affirm:

- I) only residents (other than house manager(s) who have the disability of addiction to drugs and/or alcohol as defined by state and federal laws are eligible to reside at the sober house

- II) said home will not admit persons who pose a direct threat to the health or safety of others such as persons on the sex offender registry or prison pre-parolee

Signed _____

DATE: _____

PRINT NAME: _____

SOBER HOUSE OPERATOR SAFETY CERTIFICATION:

I, _____, operator of

Name & Address of Sober Home:

Hereby affirm:

The above property has:

- I) Functioning smoke detectors in the sleeping rooms and common areas
- II) Functioning carbon monoxide detectors
- III) Functioning fire extinguishers in plain sight and/or clearly marked
- IV) Interior and exterior of the property is functional, safe, clean and free of fire hazards

Each device to be inspected annually by Quincy Fire in March.

Signed _____ DATE: _____

PRINT NAME: _____

Voluntary Fire Safety Inspection by Quincy Fire Department:

Date of Inspection: _____

Fire Department Signature: _____

INTRODUCED BY: **WARD FOUR COUNCILLOR – BRIAN PALMUCCI**
WARD ONE COUNCILLOR – MARGARET E. LAFOREST
WARD FIVE COUNCILLOR – KIRSTEN L. HUGHES

CITY OF QUINCY
IN COUNCIL

ORDER NO. 2017-139

ORDERED:

September 05, 2017

BE IT ORDAINED, the City Council of the City of Quincy that the Quincy Municipal Code is hereby amended as follows;

In Title 17 City of Quincy Zoning Ordinance Chapter 17.16 Use Regulation, Section 17.16.020

In Title 7 Special Residential Regulations add the following new section:

7.2 Sober Homes

1.0 Purpose

The purpose of this ordinance is to address issues relating to sober houses in Quincy. Structured sober houses provide housing for individuals in recovery from addiction to drugs and/or alcohol, including people who may have co- occurring mental health issues, as they transition from the treatment setting to life in the community. This housing assists individuals to return to the community through support in an alcohol- and drug-free, home-like environment.

This ordinance is intended to protect the residents of sober houses from operators who engage in abuse, neglect, mistreatment, fraud, and/or inadequate supervision of this vulnerable population as well as to protect the residents of structured sober living homes and the neighboring community from operators who fail to provide a supportive, residential family-like living environment necessary for the residents to achieve and maintain sobriety, in a manner consistent with the reasonable expectations of residents living where sober houses are located in regard to their quality of life.

2.0 Definitions

As used herein, the following terms shall have the following meanings.

Operator	A company, business or individual who provides services to or for a sober house, including the placement of individuals in a residence, setting house rules, and/or governing the behavior of occupants while residents of the home. An operator does not include a property owner or property manager that exclusively handles real estate contracting, property management, and leasing of the property and who does not receive compensation for services under the first sentence, above.
Parking Plan	A plan that provides for adequate off-street parking to insure that residents of the sober house and abutting residents can safely and conveniently park their vehicle(s).
Reasonable Accommodation	A change, adaptation or modification of Quincy Zoning regulations to allow a person seeking to take advantage of sober housing to reasonably do so in the city of Quincy.
Sober House	A dwelling unit occupied by more than four (4) persons, all of whom are in recovery from chemical dependency and considered handicapped under the Federal Fair Housing Act Amendments of 1988, that provides a non-institutional residential environment in which the residents willingly subject themselves to written rules and conditions, including prohibition of alcohol and drug use (except for prescription medications obtained and used under medical supervision), intended to encourage and sustain their recovery.

3.0 Regulation and Oversight

A. Registration Required

No sober house may operate within the city without first obtaining a registration as provided in this chapter. No person shall open or operate a sober house or working for a sober house in the city until the information required in this section has been provided to the City Clerk. The Operator of any sober house in the city shall be responsible for updating all required information on a monthly basis, as necessary. Application for this registration within 60 days of the effective date of this ordinance by any current operator, and within 30 days of the date of application for an occupancy permit for all new operators.

B. Registration Application

Every applicant for a registration to operate a sober house shall provide the following information and documentation:

- (1) The name and full street address of the structured sober living home;
- (2) The name, full street address, mobile and land phone numbers, email address, and driver's license or government issued identification number of the property owner and the Operator;
- (3) After a house manager is hired, each house manager's name, full home living street address, mobile and land phone numbers, email address, and driver's license or government issued identification number;
- (4) If the operation of the sober house involves a lease, a copy of the lease then currently in effect;
- (5) The operation plan for the sober house, including supervisory roles and responsibilities, all plans that facilitate the rehabilitative process and those that address the maintenance and control of the property including parking, noise abatement and the like, all consistent with local ordinances;
- (6) The tenant rules and regulations, written intake procedures and relapse policy, and discharge plan;
- (7) An affirmation by the Operator that only residents (other than the house manager(s)) who have the disability of addiction to drugs and/or alcohol as defined by state and federal law are eligible to reside at the sober house and the home will not admit persons who pose a direct threat to the health or safety of others such as persons on the sex offender registry or prison pre-parolee;
- (8) A blank copy of every form that residents and potential residents are required to complete; and
- (9) A voluntary fire safety inspection of the property shall be offered as part of the registration process by the Quincy Fire Department.
- (10) A signed and dated safety certification that the following safety devices are installed and fully functional as well as a schedule for self-inspecting each device:
 - a. Functioning smoke detectors in the sleeping rooms and common areas
 - b. Functioning carbon monoxide detectors
 - c. Functioning fire extinguishers in plain sight and/or clearly marked locations
 - d. Interior and exterior of the property is in a functional, safe and clean condition and free of fire hazards.
- (11) Contact information shall be provided on an annual basis and updated within 30 days of any change.

C. Registration Issuance

Upon receipt of the foregoing information, the City Clerk shall issue the registration required by this chapter as an administrative/ministerial matter. The City Clerk may deny the registration for a sober house and may deny any transfer of a current registration or revoke a current registration only under the following circumstances:

- (1) The owner or operator has provided materially false or misleading information on its application or omitted any pertinent information;
- (2) Any owner or operator has an employment history in which he or she was terminated during the prior five years or any staff person has an employment history in which he or she was terminated in the prior year, due to physical assault, sexual harassment, embezzlement, theft, falsifying a drug test, or selling or furnishing illegal drugs or alcohol;
- (3) Any Operator of a sober house who is in recovery from drug and/or alcohol addiction who has been clean and sober for fewer than two full years as of the date of application for this registration or the date of employment;
- (4) Repeated violations of the operating rules and regulations submitted as part of the application for the registration , and/or the supervision requirements in the sober house for the residents during hours of operation, the structured sober living home's rules and regulations, written intake procedures, relapse policy, or discharge procedure and policy.

D. Parking Plan

The Operator of a sober house shall provide a parking plan for review and approval by the director of Inspectional Services or his designee providing for off street parking to accommodate residents and to address parking impacts of the residence on the abutters.

4.0. Severability

If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

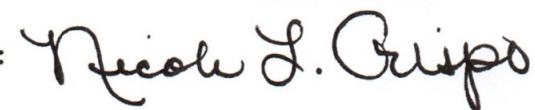
5.0. Council Review

Recognizing that this ordinance necessarily implicates an individual's rights of privacy and association, various competing interests of residents in the community, and Federal and State regulations that govern housing and/or sober houses, the City Council shall annually, at its first meeting in March, schedule a committee review of this ordinance so as to insure that it is both lawfully and effectively achieving its purpose.

PASSED TO BE ORDAINED:

October 16, 2017

ATTEST:



CLERK OF COUNCIL

APPROVED:

October 17, 2017



MAYOR

YEAS Cain, Croall, DiBona, Finn, Harris, Hughes, Laforest, Liang, Palmucci
NAYS Cain, Croall, DiBona, Finn, Harris, Hughes, Laforest, Liang, Palmucci